IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

TUESDAY, THE 5TH DECEMBER 2006 / 14TH AGRAHAYANA 1928

WP(C).No. 10190 of 2005(K)

PETITIONER:

P.CHITHARANJAN,
KARTHYANI MANDHIRAM, PEZHUMTHURUTHU,
PERIMON P.O., KOLLAM.

BY ADV. SRI.C.R.SIVAKUMAR

RESPONDENTS:

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1. THE STATE OF KERALA,
REPRESENTED BY THE SECRETARY, DEPARTMENT OF
CORPORATION, SECRETARIAT, TRIVANDRUM.

2. THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
OFFICE OF THE REGISTRAR OF CO-OPERATIVE SOCIETIES,
TRIVANDRUM.

3. THE SECRETARY,
THE KOLLAM CO-OPERATIVE AGRICULTURAL RURAL
DEVELOPMENT BANK NO.167, KOLLAM.

BY SRI.B.S.SWATHI KUMAR, SPL.GP (CO.OP)
SRI.C.UNNIKRISHNAN (KOLLAM)
GOVERNMENT PLEADER P.K. RAVISANKAR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 05/12/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:-

EXT.P1- TRUE COPY OF THE NOTICE DATED 25.10.2004.

EXT.P2- TRUE COPY OF THE NOTICE DATED 22.02.2005

EXT.P3- TRUE COPY OF THE REPRESENTATION DATED 3.3.2005.

(TRUE COPY)

P.A TO JUDGE

J.M.JAMES, J.

W.P.(C). 10190/2005

Dated this the 5th day of December, 2006

JUDGMENT

The writ petitioner had availed a loan from the third respondent, bank, and defaulted the payment. Because of the default in re-paying the loan amount, the bank proceeded against the writ petitioner informing him that the property would be brought to sale, as an amount of Rs.1,57,607/- as on 22.2.2005, is due to the bank.

2. I heard the learned counsel for the third respondent, bank, as well as the counsel for the writ petitioner. The learned counsel for the writ petitioner submits that the petitioner is prepared to have an One Time Settlement and remit the amount accordingly.

3. In view of the above facts, I direct the writ petitioner to approach the third respondent, bank, with a representation, requesting for an One Time Settlement, within ten days from today. The third respondent shall hear the petitioner and dispose of the said representation

on merit, granting him One Time Settlement scheme, as per Circular No.27/2006 dated 29.6.2006, which is valid upto 31.12.2006.

4. Till a decision is taken on the representation, that would be filed by the petitioner, all further proceedings, initiated on the properties pledged with the bank for the loan availed, shall stand stayed.

The writ petition is disposed of as above.

J.M.JAMES
JUDGE

mrcs